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REMARKS

Claims 1, 2 and 4-22 are pending in the present application. Reconsideration is respectfully requested for the following reasons.

Claims 6-12 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. According to the Office Action, claim 6 is confusing since it recites in the preamble that the arrangement contains adhesive to an applicator yet it fails to teach how the arrangement contains adhesive from the vessels to the applicator. Applicant has omitted the language in the preamble regarding the applicator. Accordingly, Applicant submits that claims 6-12 are definite.

Claims 1, 2, 4 and 6-8 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,480,487 to Figini et al. Claims 1 and 6 have been amended to include the subject matter of claim 3. Since claim 3 is not anticipated by the Figini et al. '487 patent, Applicant submits that the rejection of claims 1, 2, 4 and 6-8 as being anticipated by the Figini et al. '487 patent is obviated.

Claim 3 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of the Figini et al. '487 patent in view of PCT Publication No. WO 01/38005 to Ruuttu et al. In order to establish a prima facie case of obviousness, three basic criteria must be met, according to the Manual of Patent Examining Procedure, §706.02(j). These three are repeated as follows. Firstly, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Secondly, there must be a reasonable expectation of success. Thirdly, the prior art reference (or references) must teach or suggest all the claim limitations. Applicant respectfully asserts that the Examiner has not met his burden of establishing a prima facie case of obviousness with respect to the rejected claims. Consequently, the rejection of the subject claims is inappropriate, and should be withdrawn.

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The subject matter of claim 3 has been added to claim 1, such that claim 1 currently pending is substantially identical to claim 3 as filed. Accordingly, all issues directed to claim 3 in the Office Action are discussed below as if claim 1 was claim 3 as originally filed.

Claim 1 defines a method for conveying an adhesive medium comprising conveying the adhesive medium from a pressurized material vessel to an applicator and intermittently refilling the pressurized material vessel from a supply vessel by exerting negative or positive pressure. The supply vessel is positioned above the pressurized material vessel and refilling is performed by positive pressure acting on the supply vessel in the form of potential energy and atmospheric pressure after a valve in the connecting pipe between the pressurized material vessel and the supply vessel is forced into an open position.

The prior art of record does not disclose or suggest the above noted features of claim 1. In regard to the first criterion of obviousness, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the reference teachings. According to the Office Action, the Figini et al. '487 patent includes a pressurized material vessel 6 and a supply vessel 18. The Ruuttu et al. publication discloses a method for coating an optical object having a tank 16 vertically raisable for filling and emptying a vessel 13. According to the Office Action:

It would have been obvious to modify the Figini et al. apparatus such that the supply vessel is open to the atmosphere as well as movable above the material vessel such as shown by Ruuttu in Figure 3 since Ruuttu shows supply vessel is open to the atmosphere as well as vertically movable relative to the material vessel for the obvious advantages of enabling one to more easily refill the supply vessel as well as provide an additional motive force to force flow from the supply.

However, there is no suggestion or motivation for vertically moving the container 18 as disclosed in the Figini et al. '487 patent. According to the Ruuttu et al. publication, the tank 16 is moved vertically in order to alternatively fill and empty the vessel 13. The vessel 13 is emptied such that the object within the vessel will not contact the coating therein and is therefore able to dry. However, there is no suggestion or motivation for making the container of the Figini et al. '487 patent vertically movable such that the container 18 is configured to be lower than the chamber 6 as one would never want to empty the chamber 6 as it supplies a

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sealing or adhesive to the nozzle 32 and there is no object placed within the container 6. Furthermore, the Figini et al. '487 patent teaches against any container 18 that is open to the atmosphere as set forth in the Office Action. According to the Figini et al. '487 patent, the container of a sealing/adhesive product is positioned on a tubular body 16. The container 18 is a replaceable container that is replaced once it is emptied by opening a cap of the container and sliding it over the tubular body 16. However, if the container 16 had an opening to the atmosphere, it would leak adhesive during transportation of the container 18. Accordingly, Applicant submits that there is no suggestion or motivation for making the container 18 of the Figini et al. '487 patent open to the atmosphere. Accordingly, Applicant submits that claim 1 is in condition for allowance.

Furthermore, claims 2, 4 and 5 depend from claim 1, and since claim 1 defines unobvious patentable subject matter, claims 2, 4 and 5 define patentable subject matter. Accordingly, claims 1, 2, 4 and 5 are in condition for allowance.

Claim 6 has been amended to state that the supply vessel is positioned above the pressurized material vessel and the adhesive is conveyed from the supply vessel into the pressurized material vessel by pressure acting on the supply vessel in the form of potential energy and atmospheric pressure after the valve is forced into an open position. Applicant submits that claim 6 is in condition for allowance. As discussed above in regard to claim 1, there is no suggestion or motivation for combining the Figini et al. '487 patent with the Ruuttu et al. publication. Accordingly, Applicant submits that claim 6 is in condition for allowance. Furthermore, claims 7-12 depend from claim 6, and since claim 6 defines unobvious patentable subject matter, claims 7-12 define patentable subject matter. Accordingly, Applicant submits that claims 6-12 are in condition for allowance.

Claim 9 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of U.S. Patent No. 6,790,284 to Suzuki, claims 9 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of U.S. Patent No. 3,568,636 to Lockwood, claims 9 and 11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of U.S. Patent No. 6,383,572 to DeGraaf et al., claims 5, 9 and 12 have been rejected under 35

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U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of U.S. Patent Application Publication No. US 2003/0226854 to Lee, claims 9-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of the Lee '854 publication and the Lockwood '636 patent, and claim 11 has been rejected under 35 U.S.C. §103(a) as being unpatentable over the Figini et al. '487 patent in view of the Lee '854 publication and the DeGraaf '572 et al. patent. All of these claims depend from either claim 1 or 6, which define unobvious patentable subject matter as outlined above. Accordingly, Applicant submits that all of these claims are in condition for allowance.

New claim 13 defines a method for conveying a piece of material comprising conveying the adhesive medium from a pressurized material vessel to an applicator and intermittently refilling the pressurized material vessel from a supply vessel by exerting negative or positive pressure. The supply vessel is larger than the pressurized material vessel. The prior art of record does not disclose or suggest the above noted features of claim 13. Specifically, the prior art of record does not disclose or suggest a supply vessel that is larger than a pressurized material vessel. Accordingly, claim 13 is in condition for allowance. Furthermore, claims 14-17 depend from claim 13, and since claim 13 defines unobvious patentable subject matter, claims 14-17 define patentable subject matter. Accordingly, claims 13-17 are in condition for allowance.

Claim 18 defines a method for conveying the adhesive material comprising conveying the adhesive medium from a pressurized material vessel to an applicator and intermittently refilling the pressurized material vessel from a supply vessel by exerting negative or positive pressure. The pressurized material vessel does not include any moving elements therein. The prior art of record does not disclose or suggest the above noted features of claim 18. Specifically, the prior art of record does not disclose or suggest a pressurized material vessel that does not include any moving elements therein. Accordingly, claim 18 is in condition for allowance. Furthermore, claims 19-22 depend from claim 18, and since claim 18 defines unobvious patentable subject matter as discussed above, claims 19-22 define patentable subject matter. Accordingly, claims 18-22 are in condition for allowance.

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All pending claims 1, 2 and 4-22 are believed to define patentable subject matter and a Notice of Allowance is therefore earnestly solicited.

Respectfully submitted,

8/10/05
Date

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